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REMARKS

The Examiner performed another search in order to reject applicant's claims, as amended in the previously submitted Amendment A. In the interest of expediting the prosecution of the present application, applicant has amended each of the independent claims to include the subject matter of previously submitted Claims 40-41, and 43-44 et al. Since the subject matter of such claims has already been considered by the Examiner, applicant asserts that such amendments would not require a new search and/or consideration. For the reasons set forth below, however, each of the independent claims, as amended, are patentable over the prior art of record.

The Examiner has now rejected Claims 1-7, 9-24, 26-42, 44 and 45 under 35 U.S.C. 103(a) as being unpatentable over Hawkins et al. (U.S. Patent No. 6,006,274), in view of Albrecht (U.S. Patent App. No. 2001/0005889A1), in further view of Jennery et al. (U.S. Patent No. 6,742,025). Applicant respectfully disagrees with this rejection, especially in view of the amendments made hereinabove.

For example, the Examiner relies on the following excerpts from Jennery to make a prior art showing of the subject matter of Claim 40 (now present in each of the independent claims), which requires "diagnostics [that] include operations including checking for broken shortcuts, checking for missing files, checking for temporary files that can be deleted, checking a registry area, deleting games, and deleting proprietary information that employees should not have installed on the handheld computer."

"A network is described including a server and a network device remotely coupled to the server. The network device includes a non-volatile storage device having data stored therein, which is preferably modified solely in response to instructions generated by the server. During initialization, the network device performs a first portion of an operating system boot sequence then generates and forwards trigger data, which includes identification information for identifying the network device, to the server. In response, the server generates action data, which includes one or more data update instructions for modifying the data stored within the non-volatile storage device. Following a second portion of the operating system boot sequence, the action data is forwarded from the server to the network device. If the

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action data includes one or more data update instructions, the network device performs the one or more data update instructions and repeats the operating system boot sequence." (see Abstract)

"A network is described including a server and a network device remotely coupled to the server. The network device includes a non-volatile storage device having data stored therein. The data stored within the non-volatile storage device includes operating system data (including instructions) and/or application programs. The computer system includes hardware and software for server managed modification of the data stored within the non-volatile storage device. The data stored within the non-volatile storage device is preferably modified solely in response to instructions generated by the server." (see col. 2, lines 46-57)

"On the other hand, if the version information indicates that the file having the file name is not authorized within non-volatile storage device 22 of network device 12, a step 92 is the next step. During step 92, server synchronization service module 44 adds the selected file name and a delete file update instruction to the action data as a data update instruction 64. As a result of the data update instruction, client synchronization service module 42 will delete the unauthorized file from non-volatile storage device 22. A decision step 102 described below follows step 92." (see col. 11, lines 58-67)

After carefully reviewing such excerpts and the remaining Jennery reference, however, it is clear that such reference fails to disclose the full set of diagnostics required by the foregoing claim language. For example, there is simply not even a suggestion of shortcuts, let alone checking for broken shortcuts. Further, there is not even a suggestion of temporary files, let alone checking for temporary files that can be deleted. Still yet, there is not even a suggestion of a registry, let alone checking a registry area. Even still, there is not even a suggestion of games, let alone deleting games. Only applicant teaches and claims such a comprehensive combination of specific diagnostics for providing improved maintenance of handheld computers.

Still yet, the Examiner relies on the following excerpt from Hawkins to make a prior art showing of the subject matter of Claim 41 (now present in each of the independent claims), which requires "wherein the maintenance database contains information on the handheld computer including a personal calendar, contacts, tasks, a list of software and corresponding versions installed on the handheld computer, and a history of diagnostics and repairs for the handheld computer."

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"For example, a user of a portable computer system will usually have a personal computer system that is "his" personal computer system. The user will store his personal data such his address lists, his personal calendar, and his To-Do list on his personal computer. New changes to the address list, calendar, and To-Do list will be made to his personal computer. It would therefore be desirable to always synchronize with his personal computer (a "preferred" computer)." (see col. 5, lines 35 - 43)

Such excerpt, along with the remaining Hawkins reference, however, makes absolutely no mention of any sort of maintenance database that contains information including a list of software and corresponding versions installed on the handheld computer, and a history of diagnostics and repairs for the handheld computer, as claimed. It is further noted that the Examiner earlier admitted that "Hawkins does not explicitly disclose that maintenance includes ... running diagnostics on the handheld." See paragraph 6 of the Examiner's action. By virtue of this admission that Hawkins does not disclose diagnostics, it is impossible that Hawkins discloses a maintenance database that contains a history of diagnostics and repairs for the handheld computer, as claimed.

Even still, the Examiner relies on the following excerpt from Hawkins to make a prior art showing of the subject matter of Claim 44 (now present in each of the independent claims), which requires a download database which "includes software license information that is downloaded to the handheld computers."

"Special version information is used to identify files of data 38 which fit into two distinct categories. Files authorized to be stored within non-volatile storage device 22 but not present within non-volatile storage device 22 are identified by replacing the corresponding version information within configuration table 66 with a first special version identifier. In this case, the file names of such files are associated with the first special version identifier in configuration table 66. Files stored within non-volatile storage device 22 but not authorized to be stored within non-volatile storage device 22 are identified by replacing the corresponding version information within configuration table 66 with a second special version identifier. In this case, the file names of such files are associated with the second special version identifier in configuration table 66." (see col. 8, lines 19 - 34)

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Moreover, the Examiner argues that "the special version identifier is analogous to software licensing information." Applicant respectfully disagrees with this assertion. A version associated with software is clearly departed from licensing information, as claimed. Only applicant teaches and claims a download database of licensing information, in the context of the remaining claim limitations.

Applicant respectfully asserts that at least the third element of the *prima facie* case of obviousness has not been met, since the references, when combined, fail to teach or suggest all the claim limitations. A notice of allowance or a specific prior art showing of each of the foregoing limitations, in combination with the remaining claim elements, is respectfully requested.

It is further noted that the Examiner's application of the prior art is still vastly deficient with respect to the dependent claims. Just by way of one example, the Examiner relies on the following excerpt from Jennery to make a prior art showing of applicant's claimed "wherein the central maintenance node includes a user interface which allows a system administrator to configure and update the databases" (see Claim 45).

"It is noted that a user accessing configuration database 46 may obtain file names and corresponding version information of data files stored within non-volatile storage devices of each network device of network 10." (col. 6, lines 42-45)

This excerpt, however, merely mentions accessing a database, not updating the same, let alone a user interface which allows a system administrator to configure and update the databases, as claimed

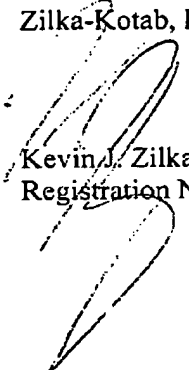
Again, a notice of allowance or a specific prior art showing of each of the foregoing limitations, in combination with the remaining claim elements, is respectfully requested.

Reconsideration is respectfully requested.

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In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. Applicants are enclosing a check to pay for the added claims. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NAIIP136_00.120.01).

Respectfully submitted,
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